



SENATE REPUBLICAN

POLICY COMMITTEE

## Legislative Notice

No. 44

December 18, 2007

### **H.R. 2764 – Omnibus Appropriations Act, Fiscal Year 2008**

Calendar No. 265

*On December 17, the House moved to agree to the Senate amendment with two House amendments.*

#### **Noteworthy**

- On December 18, the Senate will begin consideration of H.R. 2764, to provide \$473.5 billion in non-emergency appropriations for FY08 for all programs not yet funded under regular appropriations acts. Only the Defense Appropriations bill has been enacted.
- On December 17, the House moved to agree to the Senate amendment to H.R. 2764 with two House amendments. The first amendment, Divisions A through K, combined the eleven remaining appropriations bills into a single omnibus appropriations bill, and passed the House by a vote of 253-154. The second amendment, Division L, provided limited war funding, and passed by a vote of 206-201.
- The bill does not include any of the provisions that triggered the Administration to issue veto threats, such as provisions related to Cuba Sanctions, family planning, domestic partners, Davis-Bacon, and private debt collection.
- Division L provides \$31.0 billion for ongoing operations in Afghanistan and includes various restrictions. The bill does not provide any funding for Iraq, but rather includes a provision prohibiting funds from being used for ongoing operations in Iraq.
- The bill provides \$11.2 billion in emergency-designated spending. This funding includes \$3.7 billion in contingent emergencies for veterans; \$3.0 billion for border security; \$2.4 billion for foreign-aid programs; \$602.0 million for drought relief; \$400.0 million for women, infants, and children; \$300.0 million for wildfire suppression; and \$250.0 million for LIHEAP.
- The White House Statement of Administration Policy (SAP) includes a veto threat because the bill does not provide funding for ongoing military operations in Iraq.

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## Summary

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The omnibus appropriations bill combines the eleven remaining appropriations bills and provides approximately \$473.5 billion in non-emergency discretionary spending. The bill also includes \$11.1 billion in emergency spending, of which \$3.7 billion is designated as contingency emergency spending for veterans affairs.<sup>1</sup>

The bill contains divisions A-L, with divisions A-K representing discretionary spending organized along appropriations subcommittees. Division L provides \$31 billion for military operations in Afghanistan and no funding for operations in Iraq.

In addition to the contingency emergency spending, the bill contains \$7.5 billion in emergency spending for the following:

- \$2.39 billion for foreign aid programs;
- \$602.0 million for drought relief;
- \$400.0 million for the special supplemental nutrition program for women, infants, and children (WIC);
- \$300.0 million for wildfire suppression;
- \$250.0 million for LIHEAP;
- \$225.0 million for the GSA Federal Building Fund (related to border fence);
- \$195.0 million for MN bridge repair;
- \$143.5 million for FBI, salaries and expenses;
- \$100.0 million for presidential security at political conventions;
- \$56.5 million for the World Trade Center;
- \$20.0 million for Farm Service Agency salaries and expenses;
- \$15.0 million for U.S. Marshals Service, salaries and expenses;
- \$14.5 million for Court of Appeals, salaries and expenses;
- \$10.5 million for Defender Services;
- \$10.0 million for DOJ Legal Activities, salaries and expenses;
- \$8.0 million for DOJ Administrative Review and Appeals;
- \$7.0 million for U.S. Attorneys, salaries and expenses; and
- \$2.0 million for Drug Enforcement Administration, salaries and expenses;

Certain divisions include across the board rescissions of varying amounts and requirements as follows.

- Division A—Agriculture: 0.7 percent across the board rescission excluding certain programs and emergency spending.
- Division B—Commerce, Justice, Science: No across the board rescission.
- Division C—Energy and Water: 0.91 percent across the board rescission on all budget authority (excluding earmarks) and 1.6 percent on earmarks.

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<sup>1</sup> Contingent emergency spending requires that certain actions be taken before funds can be released. In this case, the President must formally request funding by January 18, 2008.

- Division D—Financial Services: No across the board rescission.
- Division E—Homeland Security: No across the board rescission.
- Division F—Interior: 1.56 percent across the board rescission on Titles I through IV, excluding certain accounts.
- Division G—Labor, Health and Human Services, and Education: 1.747 percent across the board rescission, excluding Pell Grant and emergency funding.
- Division H—Legislative Branch: 0.25 percent across the board rescission.
- Division I—Military Construction/Veteran's Affairs: No across the board rescission.
- Division J—State/Foreign Operations: 0.81 percent across the board rescission excluding emergency funding.
- Division K—Transportation, Housing and Urban Development: 2.0 percent across the board rescission on earmarks.

The omnibus includes extensions of certain mandatory programs and revenue provisions, such as programs in the Farm Bill until March 15, 2008 and aviation taxes and expenditure authority through March 1, 2008.

During consideration of appropriations bills in the House and Senate, the White House offered veto threats against various policy riders, such as Cuba sanctions, family planning, domestic partners, Davis-Bacon, stem cells, laws on abortion, and domestic partners. The omnibus appears to have addressed all provisions that triggered a clear veto threat. The omnibus does not include a provision that prohibits the EEOC from filing lawsuits against employers requiring employees to speak English while working.

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## **Bill Provisions**

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This legislative notice is divided according to Appropriations Subcommittee jurisdiction.

### **Division A: Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2008**

**Executive Operations:** Provides \$56.0 million for Executive Operations, which is \$29.8 million below the Administration's request and \$112.3 million below the FY07 enacted level.

**Agricultural Research Service:** Provides \$1.17 billion for the Agricultural Research Service, which is \$130.3 million above the Administration's request and \$38.8 million above the FY07 enacted level.

**Cooperative State Research, Education, and Extension Service (CSREES):** Provides \$1.19 billion for CSREES, which is \$163.1 million above the Administration's request and \$857,000 above the FY07 enacted level.

**Animal and Plant Health Inspection Services:** Provides \$867.6 million for Animal and Plant Health Inspection Services, which is \$86.8 million below the Administration's request and \$16.5 million above the FY07 enacted level.

**Agricultural Marketing Service:** Provides \$114.7 million for Agricultural Marketing Service, which is \$1.6 million above the Administration's request and \$2.0 million above the FY07 enacted level.

**Food Safety and Inspection Service:** Provides \$930.1 million for Food Safety and Inspection, which is equal to the Administration's request and \$38.0 million above the FY07 enacted level.

**Farm Assistance Programs:** Provides \$1.67 billion for Farm Assistance Programs, which is \$112.8 million below the Administration's request and \$92.1 million above the FY07 enacted level. Included within this funding is \$457.6 million for the **Agricultural Credit Insurance Fund**.

- **Farm Service Agency:** Provides \$1.59 billion for the Farm Service Agency, which is \$112.8 million below the Administration's request and \$92.7 million above the FY07 enacted level.<sup>2</sup>

**Federal Crop Insurance Corporation:** Provides \$4.82 billion for the Federal Crop Insurance Corporation, which is equal to the Administration's request and \$438.8 million above the FY07 enacted level.

**Commodity Credit Corporation Fund:** Provides \$12.98 billion for the Commodity Credit Corporation Fund, which is \$53,000 below the Administration's request and \$10.12 billion below the FY07 enacted level.

## **Title II – Conservation Programs**

**Natural Resources Conservation Service:** Provides \$937.5 million for the Natural Resources Conservation Service, which is \$112.0 million above the Administration's request and \$85.0 million above the FY07 enacted level.

## **Title III – Rural Development Programs**

**Rural Development:** Provides \$661.7 million for Rural Development, which is \$23.0 million below the Administration's request and \$4.0 million above the FY07 enacted level.

**Loan Authorizations:** Provides \$5.57 billion in Loan Authorizations, which is \$478.5 million above the Administration's request and \$538.7 million above the FY07 enacted level.

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<sup>2</sup> These numbers do not reflect additional transfers from other accounts, such as export loans, PL 480, ACIF, and the Farm Storage Loan Program Account.

**Loan Subsidies:** Provides \$207.3 million for Loan Subsidies, which is \$171.4 million above the Administration's request, but \$21.5 million below the FY07 enacted level.

**Rural Housing Insurance Fund (RHIF):** Provides \$657.1 million for the RHIF, which is \$186.3 million above the Administration's request and \$224.7 million below the FY07 enacted level.

**Rural Housing Service:** Provides \$1.33 billion for the Rural Housing Service, which is \$182.9 million above the Administration's request, but \$189.4 million below the FY07 enacted level.

**Rural Development Loan Fund:** Provides \$19.1 million for the Rural Development Loan Fund, which is \$64,000 above the Administration's request and \$576,000 below the FY07 enacted level.

**Rural Business-Cooperative Service:** Provides \$178.0 million for the Rural Business-Cooperative Service, which is \$60.8 million above the Administration's request and \$7.8 million above the FY07 enacted level.

**Rural Utilities Service:** Provides \$655.3 million for the Rural Utilities Service, which is \$80.5 million above the Administration's request and \$8.1 million above the FY07 enacted level. In addition, a loan authorization level of \$9.18 billion is provided.

## **Title IV – Domestic Food Programs**

**Child Nutrition Programs:** Provides \$13.9 billion for Child Nutrition Programs, which is \$4.2 million above the Administration's request and \$556.0 million above the FY07 enacted level.

**Supplemental Nutrition Program for Women, Infants, and Children (WIC):** Provides \$6.02 billion for WIC, which is \$633.4 million above the Administration's request and \$815.6 million above the FY07 enacted level.

**Food Stamp Program:** Provides \$39.78 billion for the Food Stamp Program, which is \$55.5 million below the Administration's request, but \$1.62 billion above the FY07 enacted level.

**Commodity Assistance Program:** Provides \$210.3 million for the Commodity Assistance Program, which is \$139.9 million above the Administration's request and \$32.7 million above the FY07 enacted level.

**Nutrition Program Administration:** Provides \$141.7 million for the Nutrition Program Administration, which is \$7.2 million below the Administration's request, but \$1.5 million above the FY07 enacted level.

## **Title V – Foreign Assistance and Related Programs**

**Salaries and Expenses, Direct Appropriation:** Provides \$163.3 million for Salaries and Expenses, Direct Appropriation, which is \$9.9 million below the Administration’s request, but \$2.0 million above the FY07 enacted level.

**Public Law 480 Program and Grant Accounts:** Provides \$1.21 billion for Public Law 480 Program and Grant Accounts, which is \$8.6 million below the Administration’s request and \$4.6 million below the FY07 enacted level.

**CCC Export Loans Program Account:** Provides \$5.3 million for the CCC Export Loans Program Account, which is \$53,000 below the Administration’s request and \$30,000 above the FY07 enacted level.

**McGovern-Dole International Food and Program Grants:** Provides \$99.3 million for international food for education and child nutrition program grants, which is \$70,000 below the Administration’s request, but \$30,000 above the FY07 enacted level.

## **Title VI – Related Agencies and Food and Drug Administration**

**Food and Drug Administration:** Provides \$1.72 billion for the Food and Drug Administration, which is \$76.1 million above the Administration’s request and \$142.6 million above the FY07 enacted level.

**Commodity Futures Trading Commission:** Provides \$111.3 million for Commodity Futures Trading Commission, which is \$4.7 million below the Administration’s request, but \$13.3 million above the FY07 enacted level.

**Farm Credit Administration:** Provides a limitation on administrative expenses of \$46.0 million, which is equal to the Administration’s request and \$1.8 million above the FY07 enacted level.

## **Title VII – General Provisions**

Notable general provisions include:

- Section 719 provides that none of the funds may be used to pay salaries and expenses to personnel to carry out an environmental quality incentives program.
- Section 730 provides that none of the funds may be used for competitive sourcing activities related to the Department of Agriculture.
- Section 733 provides that none of the funds made available in the bill may be used to establish or implement a rule allowing poultry products to be imported into the United States from the People’s Republic of China.

- Section 743 provides \$20.0 million in emergency appropriations for the Farm Service Agency, Salaries and Expenses.
- Section 747 prohibits funds to terminate any of the 13 field laboratories that are operated by the FDA.
- Section 751 extends agricultural programs through March 15, 2008.

## **Division B: Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008**

### **Title I – Department of Commerce**

**International Trade Administration (ITA):** Provides \$405.2 million for the ITA, which is \$7.3 million below the Administration's request, but \$9.6 million above the FY07 enacted level.

**Bureau of Industry and Security (BIS):** Provides \$72.9 million for the BIS, which is \$5.9 million below the Administration's request and \$2.5 million below the FY07 enacted level.

**Economic Development Administration (EDA):** Provides \$279.9 million for the EDA, which is \$77.1 million above the Administration's request, but \$691,000 below the FY07 enacted level.

**Economic and Statistical Analysis:** Provides \$81.1 million for Economic and Statistical Analysis, which is \$3.9 million below the Administration's request, but \$1.3 million above the FY07 enacted level.

**Bureau of the Census:** Provides \$1.23 billion for the Bureau of the Census, which is equal to the Administration's request and \$337.2 million above the FY07 enacted level.

**National Telecommunications and Information Administration (NTIA):** Provides \$36.3 million for the NTIA, which is \$17.7 million above the Administration's request, but \$3.5 million below the FY07 enacted level.

**Patent and Trademark Office (PTO):** Provides \$1.92 billion for the PTO, which is equal to the Administration's request and \$144.5 million above the FY07 enacted level. The Committee agrees with the recommendation to extend the fee-increase for USPTO through the end of FY08.

**Technology Administration:** Does not provide funding for Technology Administration, which is \$1.6 million below the Administration's request and \$2.0 million below the FY07 enacted level.

**National Institute of Standards and Technology (NIST):** Provides \$755.8 million for the NIST, which is \$115.1 million above the Administration's request and \$79.0 million above the FY07 enacted level.

- **Advanced Technology Program:** Provides \$65.2 million for the Advanced Technology Program.

**National Oceanic and Atmospheric Administration (NOAA):** Provides \$3.90 billion for NOAA, which is \$86.9 million above the Administration's request, but \$181.8 million below the FY07 enacted level.

**Departmental Management:** Provides \$70.0 million for departmental management, which is \$17.4 million below the Administration's request and \$3.6 million below the FY07 enacted level.

## **Title II – Department of Justice**

**General Administration:** Provides \$257.6 million for General Administration, which is \$29.0 million below the Administration's request and \$53.0 million below the FY07 enacted level. Of this funding, \$1.23 billion is for the Office of the Federal Detention Trustee.

**United States Parole Commission:** Provides \$11.5 million for the United States Parole Commission, which is \$732,000 below the Administration's request and \$47,000 below the FY07 enacted level.

**United States Attorneys:** Provides \$1.75 billion for United States Attorneys, which is \$7.0 million above the Administration's request and \$94.9 million above the FY07 enacted level.

**United States Marshals Service:** Provides \$866.5 million for the United States Marshals Service, which is \$33.4 million below the Administration's request, but \$41.2 million above the FY07 enacted level, excluding emergency appropriations.

**Interagency Law Enforcement:** Provides \$497.9 million for Interagency Law Enforcement, which is \$11.2 million below the Administration's request and equal to the FY07 enacted level.

**Federal Bureau of Investigation (FBI):** Provides \$6.66 billion for the FBI, which is \$132.8 million above the Administration's request and \$359.1 million above the FY07 enacted level, excluding emergency appropriations.

**Drug Enforcement Administration (DEA):** Provides \$1.86 billion for the DEA, which is \$53.0 million above the Administration's request and \$96.5 million above the FY07 enacted level, excluding emergency appropriations.

**Bureau of Alcohol, Tobacco and Firearms (ATF):** Provides \$1.01 billion for the ATF, which is \$6.4 million below the Administration's request, but \$23.5 million above the FY07 enacted level.

**Federal Prison System:** Provides \$5.43 billion for the Federal Prison System, which is \$61.6 million above the Administration's request, but \$22.7 million below the FY07 enacted level, excluding emergency appropriations.



**Justice Assistance:** Provides \$196.2 million for Justice Assistance, which is \$28.9 million above the Administration's request, but \$42.2 million below the FY07 enacted level.

**State and Local Law Enforcement Assistance:** Provides \$908.1 million for State and Local Law Enforcement Assistance (not including \$100.0 million in emergency spending for Presidential convention security), which is \$358.1.0 million above the Administration's request, but \$328.7 million below the FY07 enacted level. Of this funding, \$170.4 million is for Edward Byrne Discretionary grants.

**Weed and Seed Program Fund:** Provides \$32.1 million for the Weed and Seed Program Fund, which is \$17.3 million below the FY07 enacted level. The Administration did not request funding for this account.

**Community Oriented Policing Services (COPS):** Provides \$587.2 million for COPS, which is \$554.9 million above the Administration's request and \$45.4 million above the FY07 enacted level. The President's Budget reduces or eliminates a number of programs that the Administration argues do not have a record of demonstrating results, one of which is the COPS Law Enforcement Technology Grants program.

**Juvenile Justice Programs:** Provides \$383.5 million for Juvenile Justice Programs, which is \$103.5 million above the Administration's request and \$45.2 million above the FY07 enacted level.

**Public Safety Officers Benefits:** Provides \$74.8 million for Public Safety Officer Benefits, which is \$266,000 below the Administration's request, but \$1.0 million above the FY07 enacted level.

### **Title III – Science**

**National Aeronautics and Space Administration (NASA):** Provides \$17.31 billion for NASA, which is equal to the Administration's request and \$1.03 billion above the FY07 enacted level, excluding emergency appropriations. Of this funding, \$10.54 billion is for the Science, Aeronautics, and Exploration account, which is \$60.0 million above the Administration's request.

**National Science Foundation (NSF):** Provides \$6.07 billion for the NSF, which is \$364.0 million below the Administration's request, but \$147.8 million above the FY07 enacted level.

### **Title IV – Related Agencies**

**Equal Employment Opportunity Commission (EEOC):** Provides \$329.3 million for the EEOC, which is \$1.6 million above the Administration's request and \$554,000 above the FY07 enacted level.

**International Trade Commission (ITC):** Provides \$68.4 million for the ITC, which is equal to the Administration's request and \$6.5 million above the FY07 enacted level.

**Legal Services Corporation (LSC):** Provides \$350.5 million for the LSC, which is \$39.6 million above the Administration's request and \$1.9 million above the FY07 enacted level.

**Marine Mammal Commission (MMC):** Provides \$2.8 million for the MMC, which is \$521,000 above the Administration's request, but \$76,000 below the FY07 enacted level.

**United States Trade Representative (USTR):** Provides \$44.1 million for the USTR, which is \$287,000 below the Administration's request and \$87,000 below the FY07 enacted level.

**State Justice Institute:** Provides \$3.8 million for the State Justice Institute, which is \$305,000 above the FY07 enacted level. The Administration did not request similar funding.

## **Title V – General Provisions**

The bill does not include an amendment an amendment accepted during original consideration of the Commerce, Justice, Science Appropriations Bill that prohibits the EEOC from filing lawsuits against employers requiring employees to speak English while working.

Notable general provisions include:

- Section 502, dealing with unobligated balances.
- Section 505, dealing with reprogramming of funds.
- Section 506, prohibiting construction, repair, overhaul, conversion, or modernization of NOAA ships outside of the United States.
- Section 508, regarding the purchase of American made products.
- Section 511, regarding the sale or export of tobacco or tobacco products.
- Section 512, prohibiting a user fee from being charged for background checks pursuant to the Brady Handgun Control Act of 1993.
- Section 513, dealing with the Crime Victims Fund.
- Section 518, regarding firearms tracing studies.
- Section 521, prohibiting the use of funds to support or justify the use of torture.
- Section 526, prohibiting funds to authorize a national security letter in contravention of the statutes authorizing the FBI to issue national security letters.

- The Explanatory Statement includes report language, which appeared in the Senate report, that directs USTR to submit a report regarding CAFTA.
- The Explanatory Statement includes report language, which appeared in the Senate report, regarding WTO Appellate Body ruling regarding the Continued Dumping and Subsidy Offset Act (P.L. 106-307).

## **Title VI – Rescissions**

Title VI includes \$901.8 million in rescissions, which is \$397.2 million more than the Administration's request and \$541.3 million less the FY07 enacted level.

## **Division C: Energy and Water Development and Related Agencies Appropriations Act, 2008**

### **Title I – Department of Defense – Civil Department of the Army (Corps of Engineers)**

**General Investigations (GI):** Provides \$167.2 million for GI, which is \$77.2 million above the Administration's request, but \$3.9 million below the FY07 enacted level.

**Construction:** Provides \$2.29 billion for Construction, which is \$766.3 million above the Administration's request, but \$83.5 million below the FY07 enacted level.

**Flood Control, Mississippi River and tributaries:** Provides \$387.4 million for Flood Control, which is \$127.4 million above the Administration's request, but \$9.2 million below the FY07 enacted level.

**Operation and Maintenance (O&M):** Provides \$2.24 billion for O&M, which is \$227.4 million below the Administration's request, but \$267.3 million above the FY07 enacted level.

**Regulatory Program:** Provides \$180.0 million for the Regulatory Program, which is equal to the Administration's request and \$20.7 million above the FY07 enacted level.

**Formerly Utilized Sites Remedial Action Program (FUSRAP):** Provides \$140.0 million for FUSRAP, which is \$10.0 million above the Administration's request and \$1.3 million above the FY07 enacted level.

**Flood Control and Coastal Emergencies:** Does not provide funding for this account. The Administration requested \$40.0 million for this account.

## **Title II – Department of Interior**

**Central Utah Project Construction:** Provides \$40.4 million for the Central Utah Project Construction, which is equal to the Administration's request and \$9.1 million above the FY07 enacted level. Included within this funding is \$976,000 for **Fish, Wildlife, and Recreation Mitigation and Conservation** and \$1.6 million for **Program Oversight and Administration**.

**Bureau of Reclamation:** Provides \$1.11 billion for the Bureau of Reclamation, which is \$150.0 million above the Administration's request and \$64.9 million above the FY07 enacted level. Included in this funding is: \$949.9 million for **Water and Related Resources**; \$59.1 million for the **Central Valley Project Restoration Fund**; \$40.1 million for **California Bay-Delta Restoration**; and \$58.8 million for **Policy and Administration**.

**General Provisions:** Title II includes a number of general provisions on a range of issues. Of note, Section 203 includes bill language regarding **Drought Emergency Assistance**. Section 204 includes bill language permanently authorizing **Water 2025**.

## **Title III – Department of Energy**

**Energy Efficiency and Renewable Energy:** Provides \$1.72 billion for energy efficiency and renewable energy. This is \$486.2 million above the Administration's request and \$284.1 million above the FY07 enacted level.

**Nuclear Energy:** Provides \$961.7 million for nuclear energy, which is \$160.0 million above the Administration's request and \$479.5 million above the FY07 enacted level.

**Clean Coal Technology:** The Committee recommends the deferral of \$149.0 million in clean coal technology funding until fiscal year 2009.

**Fossil Energy Research and Development:** Provides \$742.8 million for fossil energy research and development, which is \$150.2 million above the Administration's request and \$150.2 million above the FY07 enacted level.

**Naval Petroleum and Oil Shale Reserves:** Provides \$20.3 million for naval petroleum and oil shale reserves, which is \$3.0 million above the Administration's request, but \$1.0 million below the FY07 enacted level.

**Science:** Provides \$4.02 billion for scientific research, which is \$380.2 million below the Administration's request, but \$220.4 million above the FY07 enacted level.

**Miscellaneous Programs:** Provides \$186.8 million for the **Strategic Petroleum Reserve**; \$12.3 million for the **Northeast Home Heating Oil Reserve**; \$95.5 million for the **Energy Information Administration**, \$182.3 million for **Non-defense Site Environmental Clean Up**; \$622.2 million for the **Uranium Enrichment Decontamination and Decommissioning Fund**; and \$187.3 million for **Nuclear Waste Disposal**.

**Atomic Energy Defense Activities:** Provides \$15.11 billion for Atomic Energy Defense Activities (AEDA), which is \$692.6 million below the Administration's request and \$816.5 million below the FY07 enacted level. These moneys include \$8.81 billion for the **National Nuclear Security Administration**, \$5.35 billion for **Defense Site Environmental Clean Up**, \$199.2 million for **Defense Nuclear Waste Disposal**, and \$754.4 million for other defense activities.

**Power Marketing Administrations:** Provides \$268.0 million for the nation's Power Marketing Administrations, which is \$27.5 million above the Administration's request, but \$2.6 million below the FY07 enacted level. These moneys include \$6.4 million for operation and maintenance for the **Southeastern Power Administration**, \$228.9 million for construction, rehabilitation, operation and maintenance for the **Western Area Power Administration**, and \$2.5 million for the **Falcon and Amistad Operating and Maintenance Fund**.

**Federal Energy Regulatory Commission:** Provides \$258.1 million for the Federal Energy Regulatory Commission, which is \$2.6 million above the Administration's request and \$36.2 million above the FY07 enacted level.

**General Provisions:** Title III includes a number of general provisions on a range of issues. Of note, Section 302 prohibits the use of funds in the bill to initiate requests for proposals of interest of new programs, which have not yet been presented to Congress in the annual budget submission, and which have not been approved and funded by Congress.

## **Title IV – Independent Agencies**

Title IV provides funding for various independent agencies. Included in these funds is: \$73.0 million for the **Appalachian Regional Commission**; \$21.9 million for the **Defense Nuclear Facilities Safety Board**; \$11.7 million for the **Delta Regional Authority**; \$21.8 million for the **Denali Commission**; \$146.1 million for the **Nuclear Regulatory Commission**; and \$3.6 million for the **Nuclear Waste Technical Review Board**.

## **Division D: Financial Services and Federal Government Appropriations Act, 2008**

### **Title I – Department of the Treasury**

**Departmental Offices Salaries and Expenses:** Provides \$248.4 million for Treasury Departmental Offices, which is \$1.8 million below the Administration's request, but \$32.0 million above the FY07 enacted level.

**Department-Wide Systems and Capital Investments Programs:** Provides \$18.7 million for Department-Wide Systems and Capital Investment Programs, which is equal to the Administration's request and \$11.6 million below the FY07 enacted level.

**Office of Inspector General:** Provides \$18.5 million for the Office of the Inspector General, which is equal to the Administration's request and \$1.5 million above the FY07 enacted level.

**Treasury Inspector General for Tax Administration:** Provides \$140.5 million for the Treasury Inspector General for Tax Administration, which is equal to the Administration's request and \$7.7 million above the FY07 enacted level.

**Financial Crimes Enforcement Network:** Provides \$85.8 million for the Financial Crimes Enforcement Network, which is equal to the Administration's request and \$12.6 million above the FY07 enacted level.

**Financial Management Service (FMS):** Provides \$234.4 million for FMS, which is \$768,000 below the Administration's request and \$958,000 below the FY07 enacted level.

**Alcohol and Tobacco Tax and Trade Bureau:** Provides \$93.5 million for the Alcohol and Tobacco Tax and Trade Bureau, which is equal to the Administration's request and \$2.9 million above the FY07 enacted level.

**Bureau of Public Debt:** Provides \$172.9 million for the Bureau of Public Debt, which is equal to the Administration's request and \$4.8 million below the FY07 enacted level.

**Community Development Financial Institutions Fund (CDFI):** Provides \$94.0 million for the CDFI, which is \$65.4 million above the Administration's request and \$39.5 million above the FY07 enacted level.

**Internal Revenue Service (IRS):** Provides \$10.89 billion for the IRS, which is \$203.1 million below the Administration's request and \$295.3 million above the FY07 enacted level. That funding includes: \$2.15 billion for Taxpayer Services; \$4.78 billion for Enforcement; \$3.68 billion for Operations Support; \$267.1 million for Business Systems Modernization; and \$15.2 million for the Health Insurance Tax Credit Administration.

## **Title II – Executive Office of the President and Funds Appropriated to the President**

**White House:** Provides \$176.5 million for the White House, which is \$10.9 million below the Administration's request, but \$3.5 million above the FY07 enacted level.

- **Salaries and Expenses:** Provides \$51.7 million for salaries and expenses, which is \$2.0 million below the FY07 enacted level. The Administration did not request such funding; instead it proposed consolidating \$187.4 million for most accounts for the White House.
- **Compensation of the President:** Provides \$450,000 for Compensation of the President, which is equal to the FY07 enacted level.
- **Council of Economic Advisers:** Provides \$4.1 million for the Council of Economic Advisers, which is \$86,000 above the FY07 enacted level. The Administration did not

request such funding; instead it proposed consolidating \$187.4 million for most accounts for the White House.

- **National Security Council:** Provides \$8.6 million for the National Security Council, which is \$44,000 below the FY07 enacted level. The Administration did not request such funding; instead it proposed consolidating \$187.4 million for most accounts for the White House.
- **Office of Administration:** Provides \$91.7 million for the Office of Administration, which is \$3.1 million above the FY07 enacted level. The Administration did not request such funding; instead it proposed consolidating \$187.4 million for most accounts for the White House.

**Office of Management and Budget:** Provides \$78.0 million for the Office of Management and Budget, which is \$7.1 million above the Administration's request and \$1.3 million above the FY07 enacted level.

**Office of National Drug Control Policy:** Provides \$421.7 million for the Office of National Drug Control Policy, which is \$51.7 million below the Administration's request and \$42.7 million below the FY07 enacted level.

- **High Intensity Drug Trafficking Areas Program:** Provides \$230.0 million for the High Intensity Drug Trafficking Areas Program, which is \$10.0 million above the Administration's request and \$5.3 million above the FY07 enacted level.

### **Title III – The Judiciary**

**Supreme Court of the United States:** Provides \$78.7 million for the Supreme Court, which is equal to its request and \$4.7 million above the FY07 enacted level.

**United States Court of Appeals for the Federal Circuit:** Provides \$27.1 million for the Court of Appeals for the Federal Circuit, which is \$1.5 million below its request, but \$1.8 million above the FY07 enacted level.

**United States Court of International Trade:** Provides \$16.6 million for the Court of International Trade, which is \$95,000 below its request, but \$807,000 above the FY07 enacted level.

**Courts of Appeals, District Courts, and Other Judicial Services:** Provides \$5.94 billion for Courts of Appeals, District Courts, and Other Judicial Services, which is \$260.0 million below the Administration's request, but \$246.1 million above the FY07 enacted level.

**Administrative Office of the United States Court:** Provides \$76.0 million for the Administrative Office of the United States Court, which is \$2.5 million below the Administration's request, but \$3.7 million above the FY07 enacted level.

**Federal Judicial Center:** Provides \$24.2 million for the Federal Judicial Center, which is \$648,000 million below the Administration's request, but \$1.3 million above the FY07 enacted level.

**Judicial Retirement Funds:** Provides \$65.4 million for Judicial Retirement Funds, which is equal to the Administration's request and \$7.1 million above the FY07 enacted level.

**United States Sentencing Commission:** Provides \$15.5 million for the Sentencing Commission, which is \$714,000 below the Administration's request, but \$876,000 above the FY07 enacted level.

## **Title IV – District of Columbia**

**District of Columbia Resident Tuition Support:** Provides \$33.0 million in Federal funds for the District of Columbia Tuition Assistance Program, which is \$2.1 million below the Administration's request, but \$132,000 above the FY07 enacted level.

**Security Costs:** Provides \$3.4 million for Security Costs related to the presence of the Federal government, which is \$352,000 above the Administration's request, but \$5.2 million below the FY07 enacted level.

**District of Columbia Courts:** Provides \$223.9 million in Federal funds for the District of Columbia Courts, which is \$10.1 million above the Administration's request and \$7.2 million below the FY07 enacted level.

**Defender Services in District of Columbia Courts:** Provides \$48.0 million for Defender Services in District of Columbia Courts, which is \$4.5 million above the Administration's request and \$4.5 million above the FY07 enacted level.

**Court Services and Offender Supervision Agency for the District of Columbia:** Provides \$190.3 million for the Court Services and Offender Supervision Agency, which is equal to the Administration's request and \$10.7 million above the FY07 enacted level.

**Water and Sewer Authority:** Provides \$8.0 million (to be matched 100 percent with local funds) for the Water and Sewer Authority, which is \$4.0 million below the Administration's request, but \$1.1 million above the FY07 enacted level.

**Criminal Justice Coordinating Council:** Provides \$1.3 million for the Criminal Justice Coordinating Council, which is equal to the Administration's request and \$13,000 above the FY07 enacted level.

**Office of the Chief Financial Officer of the District of Columbia:** Provides \$5.4 million for the Office of the Chief Financial Officer of the District of Columbia, which is \$14.5 million below the FY07 enacted level. The Administration did not request funding for this account.



**School Improvement in the District of Columbia:** Provides \$40.8 million for School Improvement in the District of Columbia, which is equal to the Administration's request and \$1.2 million above the FY07 enacted level. Included within these funds is: \$14.8 million for the **DC Opportunity Scholarship Program** for low-income children in underperforming schools; \$13.0 million for development of quality **public charter schools**; and \$13 million for public charter schools.

**Bioterrorism and Forensics Lab:** Provides \$5.0 million for costs associated with the construction of a new Bioterrorism and Forensics Lab, which is \$5.0 million below the Administration's request and \$50,000 below the FY07 enacted level.

## **Title V – Independent Agencies**

**Consumer Product Safety Commission:** Provides \$80.0 million for the Consumer Product Safety Commission, which is \$16.8 million above the Administration's request and \$17.3 million above the FY07 enacted level.

**Election Assistance Commission:** Provides \$141.5 million for the Federal Election Commission, which is \$126.1 million above the Administration's request and \$125.3 million above the FY07 enacted level.

**General Services Administration (GSA):** Provides \$174.9 million for the GSA, which is \$267.6 million below the Administration's request, but \$212.6 million above the FY07 enacted level.

**Merit Systems Protection Board:** Provides \$40.1 million for the Merit Systems Protection Board, which is equal to the Administration's request and \$1.4 million above the FY07 enacted level.

**National Archives and Records Administration:** Provides \$400.2 million for the National Archives and Records Administration, which is \$31.6 million above the Administration's request and \$69.1 million above the FY07 enacted level.

**Office of Personnel Management (OPM):** Provides \$21.11 billion for the OPM, which is \$12.6 million above the Administration's request and \$1.52 billion above the FY07 enacted level.

**Office of Special Counsel:** Provides \$17.5 million for the Office of Special Counsel, which is \$1.1 million above the Administration's request and \$1.9 million above the FY07 enacted level.

**Securities and Exchange Commission (SEC):** Provides \$842.7 million for the SEC, which is \$32.3 million below the Administration's request and \$24.8 million below the FY07 enacted level.

**Small Business Administration:** Provides \$569.0 million for the Small Business Administration, which is \$105.5 million above the Administration's request and \$2.9 million below the FY07 enacted level.

**United States Postal Service:** Provides \$117.8 million for the U.S. Postal Service, which is \$29.0 million above the Administration's request and \$8.9 million above the FY07 enacted level.

**United States Tax Court:** Provides \$45.3 million for the Tax Court, which is equal to the Administration's request and \$2.3 million below the FY07 enacted level.

## **Title VI-VIII – General Provisions**

**General Provisions:** Notable general provisions include:

- Section 715 prohibits federal funds, but allows local funds for all lobbying purposes, including lobbying for voting representation and statehood.
- Section 814 prohibits Federal funds in this Act from being used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.
- Section 819 caps the amount paid to attorneys at \$4,000 per case in suits against the District of Columbia Public Schools under the Individuals with Disabilities Education Act.
- Section 823 prohibits the use of Federal funds to implement a 1998 D.C. initiative in support of the medical use of marijuana.
- Section 824 prohibits the use of Federal funds for abortion services, except in the case of rape or incest or to preserve the mother's health.

## **Division E: Department of Homeland Security Appropriations Act, 2008**

### **Title I – Departmental Management and Operations**

**Office of the Secretary:** Provides \$97.4 million for the Office of the Secretary and Executive Management, which is \$6.1 million below the Administration's request, but \$4.3 million above the FY07 enacted level.

**Analysis and Operations:** Provides \$297.3 million for Analysis and Operations, which is \$17.4 million below the President's request and \$10.4 million below the FY07 enacted level. This includes funding for the Department's intelligence activities and the Homeland Security Operations Center.

## **Title II – Security, Enforcement, and Investigations: Border and Transportation Security**

**U.S. Customs and Border Protection (CBP):** Provides \$10.81 billion for Customs and Border Protection, including \$1.38 billion in fees, which is \$657.3 million above the Administration's request and \$1.36 billion above the FY07 enacted level. Included within these funds is: \$569.8 million for 3,000 additional border patrol agents (bringing the total strength of border agents to 17,819 by the end of FY08); \$13.0 million for additional Border Patrol vehicles; \$75.0 million to expand the detention transportation contract; \$62.3 million for the **Customs-Trade Partnership Against Terrorism (C-TPAT) and Free and Secure Trade (FAST)**; \$156.1 million for an expansion of the **Container Security Initiative (CSI)**; and \$24.0 million for the **National Targeting Center**. The bill provides \$1.23 billion for **Border Security Fencing, Infrastructure, and Technology (BSFIT)**, of which \$1.05 billion is designated as emergency funding.

**Immigration and Customs Enforcement (ICE):** Provides \$4.96 billion for ICE, including \$233.5 million in fees and \$516.4 million in emergency appropriations, which is \$566.7 million above the Administration's request and \$794.5 million above the FY07 enacted level (including emergency appropriations). Included within these funds is \$2.4 billion for detention, including funding for an additional 4,000 **detention beds** (for a total of 31,500 beds).

**Federal Protective Service (FPS):** Provides \$613.0 million for the FPS, which is equal to the Administration's request and \$97.0 million above the FY07 enacted level.<sup>3</sup> The FPS is responsible for the security and protection of Federal property under the control of the General Services Administration.

**Transportation Security Administration (TSA):** Provides \$6.81 billion for the TSA (including \$2.21 billion in passenger and aviation carrier fees), which is \$249.3 million above the Administration's request and \$105.5 million above the FY07 enacted level. Included in this funding is: \$3.77 billion for **screening operations**, and \$769.5 million for **Federal Air Marshals**.

- **Air Cargo Security:** Provides \$73.0 million for air cargo security, which is \$17.2 million above the Administration's request and \$18.0 million above the FY07 enacted level. Similar to last year, the bill includes language directing the Secretary to develop new technologies to inspect and screen air cargo.
- **Rail Security:** Provides \$22.1 million for security measures for the nation's railways, which is equal to the Administration's request and \$8.9 million above than the FY07 enacted level. The increase in funding is to support 100 rail inspectors and 82 canine teams (which is an increase of 45 teams).
- **Explosives Detection Systems (EDS):** Provides \$294.0 million for EDS procurement and installation, which is \$146.0 million below the Administration's request and \$14.6 million above the FY07 enacted level.

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<sup>3</sup> The total provides for full funding by offsetting collections paid by General Services Administration tenants and credited directly to this appropriation.

- **Secure Flight:** Provides \$50.0 million for secure flight, which is \$24.0 million below the Administration's request but \$35.0 million above the FY07 level.

**U.S. Coast Guard:** Provides \$8.52 billion for the United States Coast Guard, which is \$64.7 million above the Administration's request and \$74.8 million above the FY07 enacted level. Of this funding, \$7.34 billion is discretionary spending and \$1.18 billion is mandatory spending for **retiree pay**. Within the discretionary funds, \$5.89 billion is for **operating expenses** (such as pay, and vessel and aircraft maintenance) to perform search and rescue, Marine Environmental Protection, and defense-related activities including drug interdiction. The **Integrated Deepwater System** is funded at \$650.8 million, which is \$137.3 million below the Administration's request.

**U.S. Secret Service:** Provides \$1.39 billion for the United States Secret Service, which is \$13.5 million below the Administration's request, but \$109.3 million above the FY07 enacted level.

### **Title III – Preparedness and Recovery**

**National Protection and Programs Directorate (NPPD):** Provides \$1.18 billion for NPPD, of which \$275.0 million is designated as emergency spending, which is \$15.5 million above the Administration's request and \$219.7 million above the FY07 enacted level (including emergency supplemental appropriations). Included within these funds is \$475.0 million for **U.S. Visitor and Immigrant Status Indicator Technology**, which is \$13.0 million below the President's request and \$112.5 million above the FY07 level.

**FEMA:** Provides \$9.71 billion for FEMA, of which \$2.90 billion is designated as emergency spending, which is \$4.66 billion above the Administration's request, but \$1.11 billion below the FY07 enacted level (including emergency appropriations).

- **State and Local Programs:** Provides \$3.18 billion for State and Local Programs, which is \$1.48 billion above the Administration's request and \$406.3 million above the FY07 level.
- **Firefighter Assistance Grants:** Provides \$750.0 million for Firefighter Assistance Grants, which is \$450.0 million above the Administration's request and \$88.0 million above the FY07 level.
- **Discretionary Grants:** The bill provides \$820.0 million for Urban Area Security Initiative grants to be used primarily for port security grants and rail and transit security grants.
- **Disaster Relief Fund:** Provides \$1.40 billion for the Disaster Relief Fund, which is \$300.0 million below the Administration's request and \$100.0 million above the FY07 enacted level (excluding emergency supplemental appropriations). Through the DRF, the Department provides a significant portion of the total Federal response to victims in presidentially-declared major disasters and emergencies.

## **Title IV – Research and Development, Training, Assessments, and Services**

**United States Citizenship and Immigration Services (CIS):** Provides \$2.62 billion for US CIS, including \$2.54 billion in user fees, which is \$51.0 million above the Administration's request and \$625.9 million above the FY07 enacted level. Included in this amount is \$60.0 million for **Employment Eligibility Verification**, which is designated as emergency spending.

**Federal Law Enforcement Training Center (FLETC):** Provides \$288.7 million for the FLETC, which is \$25.6 million above the President's request and \$10.4 million above the FY07 enacted level.

**Science and Technology:** Provides \$830.3 million for Science and Technology, which is \$31.2 million above the Administration's request and \$68.5 million above the FY07 enacted level. Included in this amount is \$208.0 million for chemical and biological research and \$77.7 million for explosives research.

**Domestic Nuclear Detection Office (DNDO):** Provides \$484.8 million for the DNDO, which is \$77.2 million below the Administration's request, but \$131.2 million above the FY07 enacted level.

## **Title V – General Provisions**

Title V contains General Provisions concerning reprogramming, authorization for activities funded in the bill, the Federal Law Enforcement Training Center, the Buy America Act, competitive sourcing, and other issues. Of note:

- Section 513 prohibits the use of funds to develop or test algorithms assigning risk to passengers whose names are not on government watch lists. Section 513 also limits the implementation of the Secure Flight program until certain conditions are met.
- Section 543 prohibits funding to grant an immigration benefit to any individuals unless the results of background checks required in statute to be completed prior to the grant of the benefit have been received by DHS.
- Section 545 includes a provision delaying the implementation of the Western Hemisphere Travel Initiative.
- Section 534 includes a provision regarding security regulations on high-risk chemical facilities which will *not* override state regulations on security for these facilities.
- Section 559 includes a new provision prohibiting funds in this Act from being used to implement a rule related to H-2B visas.

## **Division F: Department of Interior, Environment, and Related Agencies Appropriations Act, 2008**

### **Title I – Department of Interior**

**Bureau of Land Management (BLM):** Provides \$1.81 billion for the BLM, which is \$13.8 million below the Administration's request and \$63.8 million below the FY07 enacted level. Included within this amount is: \$853.9 million for **Management of Land and Resources**; \$808.1 million for **Wildland Fire Management**; and \$9.1 million for **land acquisition**.

**U.S. Fish and Wildlife Service (FWS):** Provides \$1.37 billion for the FWS, which is \$79.5 million above the Administration's request and \$28.1 million above the FY07 enacted level. Included within this amount is: \$1.08 billion for **Resource Management**; \$73.8 million for the **Cooperative Endangered Species Conservation Fund**; \$14.0 million for the **National Wildlife Refuge Fund**; \$4.4 million for **Neotropical Migratory Bird Conservation**; \$7.9 million for the **Multinational Species Conservation Fund**; and \$73.8 million for **State and Tribal Wildlife grants**.

**National Park Service (NPS):** Provides \$2.39 billion for NPS programs, which is \$26.6 million above the Administration's request and \$90.4 million above the FY07 enacted level.

**U.S. Geological Survey (USGS):** Provides \$1.01 billion for the USGS, which is \$31.5 million above the Administration's request and \$18.4 million above the FY07 enacted level.

**Minerals Management Service (MMS):** Provides \$115.9 million for the MMS, which is \$45.5 million below the Administration's request and \$43.6 million below the FY07 enacted level.

**Office of Surface Mining Reclamation and Enforcement:** Provides \$170.4 million for the Office of Surface Mining Reclamation and Enforcement, which is \$2.1 million above the Administration's request, but \$124.2 million below the FY07 enacted level.

**Bureau of Indian Affairs:** Provides \$2.29 billion for the Bureau of Indian Affairs, which is \$62.4 million above the Administration's request, but \$17.0 million below the FY07 enacted level.

**Assistance to Territories:** Provides \$77.8 million for assistance to territories, which is \$2.9 million above the Administration's request and \$1.6 million above the FY07 enacted level.

**Provisions:** Notable provisions include:

- Page 29, line 3 of the bill language amends the Mineral Leasing Act to allow the Secretary of Interior to deduct 2 percent from the amount payable to each State in FY 2008 and deposit it in the Treasury.
- Page 2 of the explanatory statement recommends \$4,000 for each application for a permit to drill.

- Page 32 of the explanatory statement appropriates \$3.5 to the EPA to establish a rule requiring mandatory reporting of greenhouse gas emissions above appropriate thresholds in all sectors of the United States. The rule is to be finalized within 18 months.
- Page 33 of the explanatory statement directs the EPA to complete its decision of California's waiver application to enact vehicle emission standards to reduce greenhouse gases by 30 percent in 2016 by December 21, 2007.

## **Title II – Environmental Protection Agency**

**Science and Technology:** Provides \$760.1 million for Science and Technology, which is \$5.6 million above the Administration's request and \$26.7 million above the FY07 enacted level. Included within these funds is: \$18.3 million for the **climate protection program**; and \$54.1 million for **homeland security**.

**Environmental Programs and Management:** Provides \$2.33 billion for Environmental Programs and Management, which is \$29.8 million above the Administration's request, but \$30.4 million below the FY07 enacted level. Included within these funds is: \$23.6 million for **brownfields**; \$90.3 million for **climate protection**; \$194.3 million for **enforcement**; \$11.5 million for **(Leaking) Underground Storage Tanks (LUST/UST)**; and \$205.7 million for **Water Quality Protection**.

**Office of the Inspector General:** Provides nearly \$41.1 million for the Office of the Inspector General, which is \$3.1 million above the Administration's request and \$3.9 million above the FY07 enacted level.

**Building and Facilities:** Provides \$34.3 million for Buildings and Facilities, which is \$543,000 below the Administration's request and \$5.4 million below the FY07 enacted level.

**Hazardous Substance Superfund:** Provides \$1.25 billion for the Hazardous Substance Fund, which is \$9.3 million above the Administration's request, but \$1.1 million above the FY07 enacted level. Included within these funds is: \$189.3 million for **enforcement**; \$47.0 million for **Homeland security**; and \$827.5 million for **Superfund Cleanup**.

**Leaking Underground Storage Tanks:** Provides \$105.8 million for the Leaking Underground Storage Tank Program, which is \$33.4 million above the Administration's request and \$33.8 million above the FY07 enacted level.

**Oil Spill Response:** Provides \$17.1 million for Oil Spill Response, which is \$226,000 below the Administration's request, but \$1.3 million above the FY07 enacted level.

**State and Tribal Assistance Grants (STAG):** Provides \$2.93 billion for State and Tribal Assistance Grants, which is \$181.8 million above the Administration's request, but \$287.5 million below the FY07 enacted level. Included in this funding is \$689.1 million for the **Clean**

**Water State Revolving Fund**, which is \$1.5 million below the Administration's request and \$394.7 million below the FY07 enacted level.

### **Title III – Related Agencies**

**Forest Service (U.S. Department of Agriculture)**: Provides \$4.45 billion for the Forest Service, which is \$321.0 million above the Administration's request, but \$258.4 million below the FY07 enacted level. Included within these funds is: \$1.47 billion for the **National Forest System**, which is \$125.2 million above the Administration's request and \$4.9 million above the FY07 enacted level; \$434.4 million for **Capital Improvement and Maintenance**; \$41.8 million for **Land Acquisition**.

**Department of Health and Human Services**: Provides \$3.50 billion for agencies within the Department of Health and Human Services, which is \$73.6 million above the Administration's request and \$163.3 million above the FY07 enacted level.

**Chemical Safety and Hazard Investigation Board**: Provides \$9.3 million for the Chemical Safety and Hazard Investigation Board, which is \$214,000 above the Administration's request and \$150,000 above the FY07 enacted level.

**Office of Navajo and Hopi Indian Relocation**: Provides \$8.9 million for the Office of Navajo and Hopi Indian Relocation, which is \$140,000 below the Administration's request, but \$351,000 above the FY07 enacted level.

**Smithsonian Institution**: Provides \$682.6 million for the Smithsonian Institution, which is \$4.2 million above the Administration's request and \$47.7 million above the FY07 enacted level.

**National Gallery of Art**: Provides \$11739 million for the National Gallery of Art, which is \$1.9 million above the Administration's request and \$6.1 million above the FY07 enacted level.

**John F. Kennedy Center for the Performing Arts**: Provides \$42.7 million for the John F. Kennedy Center for the Performing Arts, which is \$3.3 million above the Administration's request and \$12.3 million above the FY07 enacted level.

**National Foundation on the Arts and Humanities**: Provides \$289.4 million for the National Foundation on the Arts and Humanities, which is \$19.6 million above the Administration's request and \$23.7 million above the FY07 enacted level. Included within these funds is: \$144.7 million for the **National Endowment for the Arts** and \$144.7 million for the **National Endowment for the Humanities**.

**United States Holocaust Memorial Museum**: Provides \$44.8 million for the United States Holocaust Memorial Museum, which is \$210,000 below the Administration's request, but \$2.4 million above the FY07 enacted level.



## **Title IV – General Provisions**

**General Provisions:** Notable general provisions include:

- Section 430 states the Sense of Congress regarding global climate change. The findings include that greenhouse gases accumulating in the atmosphere are causing average temperatures to rise at a rate outside the natural variability and are posing a substantial risk. The provision states that it is the Sense of Congress to enact a comprehensive and effective national program mandatory, market-based limits and incentives of emissions of greenhouse gases.
- Section 433 prohibits the Bureau of Land Management from issuing final regulations for commercial oil shale leases on public lands in Colorado, Utah, and Wyoming.

## **Division G: Labor, Health, and Human Services, and Education, and Related Agencies Appropriations Act, 2008**

### **Title I – Department of Labor**

**Employment and Training Administration:** Provides \$8.86 billion for the Employment and Training Administration, which is \$659.1 million above the Administration's request, but \$20.7 million below the FY07 enacted level.

- **Training and Employment Services:** Provides \$3.58 billion for Training and Employment Services, which is \$604.3 million above the Administration's request and \$20.0 million above the FY07 enacted level.
- **Federal Unemployment Benefits and Allowances:** Provides \$888.7 million for Federal Unemployment Benefits and Allowances, which is equal to the Administration's request, but \$51.1 million above the FY07 enacted level.
- **State Unemployment Insurance and Employment Service Operations:** Provides nearly \$3.27 billion for State Unemployment Insurance and Employment Service Operations, which is \$72.9 million below the Administration's request and \$74.5 million below the FY07 enacted level.

**Employee Benefits Security Administration (EBSA):** Provides \$139.3 million for the EBSA, which is \$8.1 million below the Administration's request and \$2.3 million below the FY07 enacted level.

**Pension Benefit Guaranty Corporation (PBGC):** Provides \$411.2 million for the PBGC, which is equal to the Administration's request, but \$5.8 million above the FY07 enacted level.

**Employment Standards Administration (ESA):** Provides \$2.07 billion for the ESA, which is \$26.7 million below the Administration's request and \$50.2 million below the FY07 enacted level.

- **Office of Labor-Management Standards:** Provides \$44.9 million for the Office of Labor-Management Standards, which is \$12.0 million below the Administration's request and \$2.8 million below the FY07 enacted level.

**Occupational Safety and Health Administration (OSHA):** Provides \$486.0 million for OSHA, which is \$4.3 million below the Administration's request and \$924,000 below the FY07 enacted level.

**Mine Safety And Health Administration (MSHA):** Provides \$333.9 million for MSHA, which is \$20.4 million above the Administration's request and \$32.4 million above the FY07 enacted level.

**Bureau of Labor Statistics (BLS):** Provides \$544.3 million for the BLS, which is \$30.2 million below the Administration's request and \$3.9 million below the FY07 enacted level.

**International Labor Affairs:** Provides \$81.1 million for International Labor Affairs, which is \$67.0 million above the Administration's request and \$8.6 million above the FY07 enacted level.

**Job Corps:** Provides \$1.61 billion for the Job Corps, which is \$88.1 million above the Administration's request and \$32.2 million above the FY07 enacted level.

**Veterans Employment and Training:** Provides \$228.1 million for Veterans Employment and Training, which is equal to the Administration's request and \$5.0 million above the FY07 enacted level.

**General Provisions:** Notable general provisions include:

- Section 110 prohibits funds to finalize or implement any proposed regulation under the Workforce Investment Act (WIA) rules or the Trade Adjustment Assistance Reform Act (TAA) until WIA and TAA are reauthorized.
- Section 111 prohibits OMB Circular A-76 competitions until 60 days after the House and Senate Appropriations Committees receive a GAO report.
- Section 112 mandates a revision to the MSHA belt air standard by June 20, 2008 and mandates regulations requiring the installation of rescue chambers by June 20, 2008.

## **Title II – Department of Health and Human Services**

**Health Resources and Services Administration (HRSA):** Provides nearly \$6.92 billion for the HRSA, which is \$1.06 billion above the Administration's request and \$465.5 million above the FY07 enacted level.

- **Ryan White AIDS Program:** Provides \$2.14 billion for the Ryan White AIDS Program, which is \$8.9 million above the Administration's request and \$29.0 million above the FY07 enacted level.
- **National Cord Blood Inventory:** Provides \$8.8 million for the National Cord Blood Stem Cell Bank, which is \$6.9 million above the Administration's request and \$4.9 million above the FY07 enacted level.
- **Health Care-related Facilities and Activities:** Provides \$304.5 million for Health Care-related Facilities and Activities. The Administration did not request such funding and the FY07 enacted bill also did not include such funding.

**Centers for Disease Control (CDC):** Provides \$6.05 billion for the CDC, including transfers, which is \$333.3 million above the Administration's request and \$49.4 million above the FY07 enacted level.

**National Institutes of Health (NIH):** Provides \$29.23 billion for the NIH, which is \$607.3 million above the Administration's request and \$328.7 million above the FY07 enacted level.

**Substance Abuse and Mental Health Services Administration (SAMHSA):** Provides \$3.23 billion for the SAMHSA, which is \$187.6 million above the Administration's request and \$27.9 million above the FY07 enacted level.

**Centers for Medicare and Medicaid Services Grants to States:** Provides \$400.5 billion for the Center for Medicare and Medicaid Services Grants to States, which is \$488.4 million below the Administration's request, but \$49.95 billion above the FY07 enacted level.

- **Grants to States for Medicaid:** Provides \$141.63 billion for Grants to States for Medicaid, which is equal to the Administration's request and \$36.16 billion below the FY07 enacted level.
- **Health Care Fraud and Abuse Control:** Does not provide funding for Health Care Fraud and Abuse Control. The Administration requested \$183.0 million for this account.

**Administration for Children and Families:** Provides \$27.18 billion in discretionary budget authority for Children and Families Services Programs, which is \$1.52 billion above the Administration's request and \$314.5 million above the FY07 enacted level.

- **Low Income Home Energy Assistance Program (LIHEAP):** Provides \$2.57 billion for LIHEAP, of which \$250.0 million is designated as emergency spending, which is \$788.3 million above the Administration's request and \$409.2 million above the FY07 enacted level.
- **Head Start:** Provides \$6.90 billion for Head Start, which is \$113.7 million above the Administration's request and \$13.7 million above the FY07 enacted level.

- **Abstinence Education:** Provides \$108.9 million for Abstinence Education, which is \$27.8 million below the Administration's request and equal to the FY07 enacted level.
- **Payments to States for Foster Care and Adoption:** Provides \$6.88 billion for Payments to States for Foster Care and Adoption, which is equal to the Administration's request, but \$235.0 million above the FY07 enacted level.

**Administration on Aging:** Provides \$1.41 billion for the Administration on Aging, which is \$78.3 million above the Administration's request and \$30.4 million above the FY07 enacted level.

**Office of the National Coordinator for Health Information Technology (ONC):** Provides \$60.6 million for ONC, which is \$57.3 million below the Administration's request and \$741,000 above the FY07 level.

**Public Health and Social Service Emergency Fund (PHSSEF):** Provides \$742.2 million for PHSSEF, which is \$1.01 billion below the Administration's request, but \$24.9 million above the FY07 level.

- **Biomedical Advance Research and Development Authority (BARDA):** Provides \$103.9 million for BARDA, which is \$84.0 below the Administration's request.
- **Pandemic Influenza Preparedness:** Provides \$74.8 million for Pandemic Influenza Preparedness, which is \$873.3 million below the Administration's request. No funds were provided for this account in FY07.

**General Provisions:** Notable general provisions include:

- Section 202 requires that 60 employees of the Public Health Service assist with AIDS programs administered by the Agency for International Development, the United Nations International Children's Emergency Fund, or the World Health Organization.
- Section 210 prohibits funds appropriated under the Act to be made available to any entity under Title X of the Public Health Service Act unless the applicant takes designated steps to encourage families to participate in the decisions of minors to seek family planning services and provides counseling to minors on how to resist attempts to engage in sexual activities.
- Section 212 directs the Secretary to not deny participation under the Medicare Advantage program to a participant who refuses to provide, pay for, provide coverage of, or provide referrals for abortions.
- Section 218 directs NIH to require that published research funded by the NIH be made publicly available no later than 12 months after publication, provided that the NIH shall implement the public access policy "in a manner consistent with copyright law."

- Section 219 authorizes the Secretary to award a grant to the Delta Health Alliance to promote health in the Mississippi Delta region.
- Section 222 prevents any funds from being used for additional rotating pastel lights, zero-gravity chairs, or dry-heat saunas for the CDC fitness center.
- Section 223 establishes a “Non-recurring expenses fund” that allows unobligated balances of expired discretionary funds appropriated to HHS to be transferred (not later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated) for capital acquisition at the Department.
- Section 224 rescinds \$15 million from the Health Professions Student Loan Program.
- Section 225 creates special payment rules for a hospital which previously used Medicare Provider No. 05-0578, which was the Martin Luther King Medical Center in Los Angeles; \$25 million is reallocated from the Physician Assistance and Quality Initiative fund to pay for this additional reimbursement.

### **Title III – Department of Education**

**Education for the Disadvantaged Account:** Provides \$15.62 billion for Education for the Disadvantaged, which is \$1.07 billion below the Administration’s request, but \$892.9 million above the FY07 enacted level.

- **Targeted Grants Program:** Provides \$2.98 billion for the Targeted Grants Program, which is \$498.7 million below the Administration’s request, but \$635.6 million above the FY07 enacted level.
- **Reading First:** Provides \$393.0 million for Reading First State Grants, which is \$625.7 million below the Administration’s request and \$636.2 million below the FY07 enacted level.
- **Math Now:** Does not provide funding for Math Now programs. The Administration requested \$125.0 million for Math Now programs for elementary and middle school students. This program was authorized in the COMPETES bill (P.L. 110-69).

**School Improvement Programs:** Provides \$5.31 billion for School Improvement Programs, which is \$615.9 million above the Administration’s request and \$58.7 million above the FY07 enacted level.

**Innovation and Improvement:** Provides \$985.5 million for Innovation and Improvement, which is \$63.5 million above the Administration’s request and \$147.8 million above the FY07 enacted level.

- **Teacher Incentive Fund:** Provides \$97.3 million for the Teacher Incentive Fund, which is \$101.7 million below the Administration's request, but \$97.1 million above the FY07 enacted level.
- **Advanced Placement:** Provides \$43.5 million for Advanced Placement programs, which is \$78.6 million below the President's request, but \$6.5 million above the FY07 enacted level.

**Safe Schools and Citizenship Education:** Provides \$693.4 million for Safe Schools and Citizenship Education, which is \$369.2 million above the Administration's request, but \$44.7 million below the FY07 enacted level.

**Special Education:** Provides \$12.09 billion for Special Education, which is \$603.3 million above the Administration's request and \$285.6 million above the FY07 enacted level.

**Rehabilitation Services:** Provides \$3.28 billion for Rehabilitation Services, which is \$55.6 million above the Administration's request and \$34.3 million above the FY07 enacted level.

**Career, Technical, and Adult Education:** Provides \$1.96 billion for Career, Technical, and Adult Education, which is \$758.3 million above the Administration's request, but \$36.7 million below the FY07 enacted level.

**Student Financial Assistance:** Provides \$16.08 billion for Student Financial Assistance, which is \$1.69 billion above the Administration's request and \$538.7 million above the FY07 enacted level.

- **Federal Pell Grant Program:** Provides \$14.22 billion for the Federal Pell Grant Program, which is \$801.0 million above the Administration's request and \$555.0 million above the FY07 enacted level. This funding level will maintain a maximum Pell Grant award level of \$4,310.<sup>4</sup> The maximum Pell Grant for which a student is eligible for during the 2008-09 award year shall be \$4,241. Under the College Cost Reduction Act (reconciliation), an addition \$2 billion in mandatory funds is available for the Pell Grant program in FY 2008. Thus, a maximum Pell Grant of \$4,731 will be available in the 2008-09 award year.

**Higher Education:** Provides \$2.02 billion for Higher Education, which is \$184.1 million above the Administration's request and \$70.8 million above the FY07 enacted level.

- **Federal TRIO Programs:** Provides \$828.2 million for Federal TRIO Programs, which is equal to the Administration's request and the FY07 enacted level.

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<sup>4</sup> The Higher Education Access Act of 2007 (P.L. 110-84) authorized the maximum level to \$4,800 for academic years 2008-2009. Historically, the appropriated amount is less than the authorized amount for Pell grants. The maximum Pell Grant for which a student is eligible for during the 2008-09 award year shall be \$4,241. Under the College Cost Reduction Act (reconciliation), an addition \$2 billion in mandatory funds is available for the Pell Grant program in FY 2008. Thus, a maximum Pell Grant of \$4,731 will be available in the 2008-09 award year.

**Howard University:** Provides \$233.2 million for Howard University, which is \$622,000 below the Administration's request and \$4.1 million below the FY07 enacted level.

**General Provisions:** Notable general provisions include:

- Section 305 prohibits the Department of Education from enforcing or issuing new regulations regarding recognition of accreditation agencies that alter those in place on June 1, 2007, until legislation is passed calling for such revisions.
- Section 308 prohibits the Secretary from terminating any voluntary flexible agreements under section 428A of the Higher Education Act. Rather, the Department is required to renegotiate no later than March 31, 2008 any existing voluntary flexible agreement that is not cost neutral so that the agreement would be cost neutral, unless the entity does not want to enter into such an agreement.

## **Title IV – Related Agencies**

**Corporation for National Community Service:** Provides \$856.3 million for the Corporation for National Community Service, which is \$27.7 million above the Administration's request, but \$28.2 million below the FY07 enacted level.

**Corporation for Public Broadcasting:** Provides \$393.0 million in advance appropriations for FY09, which is \$43.0 million above the Administration's request. The comparable funding level provided last year was \$400.0 million for FY08.

**National Labor Relations Board (NLRB):** Provides \$251.8 million for the NLRB, which is \$4.5 million below the Administration's request and \$255,000 above the FY07 enacted level.

**Social Security Administration (SSA):** Provides \$9.75 billion for the administrative expenses of the agency, and an additional \$91.9 million for the SSA's Inspector General.

## **Title V – General Provisions**

**General Provisions:** Notable general provisions include:

- The bill does not include a provision added in the Senate that would have prohibited a city from receiving federal funds if they provided illegal drug injection facilities.
- The bill does not include a provision added in the Senate which would have prohibited funds appropriated in the Act from being used to prevent an individual not in the business of importing prescription drugs from importing a prescription drug from Canada.
- Section 505 prohibits funds from being used to carry out a program distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

- Section 507 provides that none of the funds appropriated can be used for an abortion or health benefits coverage that includes abortion.
- Section 508 sets limitations on the above rule, including allowing abortion in the case of rape, incest, or where the life of the mother is in danger.
- Section 509 prohibits funds from being used for the creation of a human embryo for research purposes, or for research in which a human embryo is destroyed.
- Section 519 prohibits funds from being used to carry out the evaluation of the Upward Bound program.
- Section 524 reduces the funding of the Physician Assistance and Quality Initiative Fund by \$150 million.
- Section 528 provides an across the board rescission of 1.747 percent for any discretionary appropriation in the Act, except certain designated programs in Section 5, and for Federal Pell Grants.

## **Division H: Legislative Branch Appropriations Act, 2008**

### **Title I – Legislative Branch Appropriations, Senate**

**Senate Operations:** Provides \$831.8 million for the Senate’s operations, which is \$61.6 million below the estimate, but \$28.3 million above the FY07 enacted level. Included within these funds is \$373.6 million for **Senators’ Official Personnel and Office Expense Accounts**, which is \$8.2 million above the FY07 enacted level. The **Inquiries and Investigations** account, which provides funding for most of the Senate committees, was provided \$129.0 million, which is nearly \$8.3 million above the FY07 enacted level.

**House Operations:** Provides \$1.18 billion for House operations, which is \$52.2 million below the estimate, but \$38.3 million above the FY07 enacted level.

**Capitol Police:** Provides \$281.0 million for the Capitol Police, which is \$18.1 million below the estimate, but \$15.4 million above the FY07 enacted level.

**Office of Compliance:** Provides \$3.3 million for the Office of Compliance, which is \$764,000 below the estimate and \$239,000 above the FY07 enacted level.

**Congressional Budget Office:** Provides \$37.3 million for the Congressional Budget Office, which is \$666,000 below the estimate, but \$2.1 million above the FY07 enacted level.



**Architect of the Capitol (AOC):** Provides \$414.3 million for the AOC, which is \$67.4 million below the estimate and \$35.6 million below the FY07 enacted level. The bill provides \$28.7 million for the **Capitol Visitor Center**. The accompanying report notes that the opening of the Center “is likely to be delayed well beyond the timeframe on which the budget estimate for operations was predicated.”

**Library of Congress:** Provides \$562.5 million for the Library of Congress, which is \$99.1 million below the estimate, but \$53.7 million above the FY07 enacted level. Within these funds is \$102.3 million for the **Congressional Research Service (CRS)**, which is \$1.6 million above the FY07 enacted level.

**Government Printing Office:** Provides \$124.7 million for the Government Printing Office, which is \$57.3 million below the estimate, but \$2.6 million above the FY07 enacted level.

**Government Accountability Office:** Provides \$499.7 million for the Government Accountability Office, which is \$23.1 million below the estimate, but \$18.7 million above the FY07 enacted level.

**Open World Leadership Center:** Provides \$9.0 million for the Open World Leadership Center, which is \$5.4 million below the estimate, but \$4.9 million below the FY07 enacted level.

**Stennis Center for Public Service:** Provides \$429,000 for the Stennis Center for Public Service

## **Title II – General Provisions**

**General Provisions:** Notable general provisions include:

- Section 204 bans the use of funds for consulting services unless such contracts are matters of public record and are available for public inspection.

## **Division I: Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008**

### **Title I – Military Construction**

**Active Components:** Provides \$8.86 billion (excluding rescissions and emergency appropriations) for Active Component military construction, which is \$9.5 million above the Administration’s request and \$2.02 billion above the FY07 enacted level.

- Provides \$3.93 billion for **Army** construction, which is \$111.3 million below the Administration’s request, but \$698.0 million above the FY07 enacted level.
- Provides \$2.19 billion for **Navy and Marine Corps** construction, which is \$83.6 million above the Administration’s request and \$713.5 million above the FY07 enacted level.

- Provides \$1.15 billion for **Air Force** construction, which is \$237.2 million above the Administration's request and \$25.7 million above the FY07 enacted level.
- Provides \$1.60 billion for **Defense-wide** construction, which is \$200.0 million below the Administration's request, but \$582.6 million above the FY07 enacted level.

**Reserve Components:** Provides \$1.06 billion for Reserve Component military construction, which is \$366.8 million above the Administration's request and \$211.2 million above the FY07 enacted level.

- Provides \$536.7 million for **Army National Guard** construction, which is \$132.4 million above the Administration's request and \$65.8 million above the FY07 enacted level.
- Provides \$287.5 million for **Air National Guard** construction, which is \$202.0 million above the Administration's request and \$161.5 million above the FY07 enacted level.
- Provides \$148.1 million for **Army Reserve** construction, which is \$28.4 million above the Administration's request, but \$17.9 million below the FY07 enacted level.
- Provides \$64.4 million for **Naval Reserve** construction, which is \$5.3 million above the Administration's request and \$21.4 million above the FY07 enacted level.
- Provides \$28.4 million for the **Air Force Reserve** construction, which is \$1.8 million above the Administration's request, but \$16.6 million below the FY07 enacted level.

**North Atlantic Treaty Organization:** Provides \$201.4 million for the North Atlantic Treaty Organization (NATO) Security Investment Program, which is equal to the Administration's request, but \$3.4 million below the FY07 enacted level. Report language continues a prohibition of funds being used on both the enlargement of NATO and the Partnership for Peace program unless Congress is notified 21 days in advance.

**Family Housing:** Provides \$2.86 billion for family housing construction, operations and maintenance, and the Department's family housing improvement fund, which is \$65.8 million below the Administration's request and \$1.15 billion below the FY07 enacted level.

- Provides \$419.8 million for **Army** family housing construction, which is \$441,000 above the Administration's request, but \$159.2 million below the FY07 enacted level.
- Provides nearly \$731.9 million for **Army** family housing operation and maintenance, which is \$11.0 million below the Administration's request and \$60.6 million above the FY07 enacted level.
- Provides \$293.1 million for **Navy** family housing construction, which is \$5.2 million below the Administration's request and \$11.9 million below the FY07 level.
- Provides \$371.4 million for **Navy** family housing operation and maintenance, which is equal to the Administration's request and \$134.1 million below the FY07 enacted level.
- Provides \$312.7 million for **Air Force** family housing construction, which is \$50.0 million below the Administration's request and \$837.3 million below the FY07 enacted level.
- Provides \$688.3 million for **Air Force** family housing operation and maintenance, which is equal to the Administration's request, but \$61.7 million below the FY07 enacted level.

- Does not provide funds for **Defense-wide** family housing construction, which is equal to the Administration's request, but \$9.0 million below the FY07 enacted level.
- Provides \$48.8 million for **Defense-wide** family housing operation and maintenance, which is equal to the Administration's request, but \$152,000 below the FY07 enacted level.
- Provides \$500,000 for the Family Housing Improvement Fund, which is equal to the Administration's request and \$2.0 million below the FY07 enacted level.

**Chemical Demilitarization Construction Program:** Provides \$104.2 million for chemical demilitarization construction, which is \$18.0 million above the Administration's request, but \$26.8 million below the FY07 enacted level.

**Base Realignment and Closure Account (BRAC):** For 1990 Part IV BRAC, provides \$295.7 million, which is \$75.0 million above the Administration's request and \$43.4 million above the FY07 enacted level. For 2005 BRAC, provides \$7.24 billion, which is \$938.7 million below the Administration's request, but \$1.61 billion above the FY07 enacted level.

## **Title II – Department of Veterans Affairs**

**Compensation and Pensions:** Provides \$41.24 billion for compensation and pensions, which is equal to the Administration's request and \$3.23 billion above the FY07 enacted level.

**Readjustment Benefits:** Provides \$3.30 billion for Readjustment Benefits, which fully funds the Administration's request and is \$38.3 million above the FY07 enacted level.

**Veterans Insurance and Indemnities:** Provides \$41.3 million for Veterans Insurance and Indemnities, which fully funds the Administration's request, but is \$8.6 million below the FY07 enacted level.

**Veterans Housing Benefit Program Fund Program Account:** Provides \$154.6 million for the Veterans Housing Benefit Program Fund Program Account, which is equal to the Administration's request and \$278,000 above the FY07 enacted level.

**Medical Services:** Provides \$29.10 billion for Medical Services, of which \$1.94 billion is contingent emergency funding, which is \$1.94 billion above the Administration's request and \$3.12 billion above the FY07 enacted level.

**Medical Administration:** Provides \$3.52 billion for Medical Administration, of which \$75.0 million is contingent emergency spending, which is \$75.0 million above Administration's request and \$89.0 million above the FY07 enacted level.

**Medical Facilities:** Provides nearly \$4.10 billion for Medical Facilities, of which \$508.0 million is contingent emergency spending, which is \$508.0 million above the Administration's request, but \$64.5 million below the FY07 enacted level, including emergency funding.

**Medical and Prosthetic Research:** Provides \$480.0 million for Medical and Prosthetic Research, of which \$69.0 million is contingent emergency funding, which is \$69.0 million above the Administration's request and \$33.5 million above the FY07 enacted level.

**National Cemetery Administration:** Provides \$195.0 million for the National Cemetery Administration, of which \$28.2 million is contingent emergency spending, which is \$28.2 million above the Administration's request and \$34.3 million above the FY07 enacted level.

**General Operating Expenses:** Provides \$1.61 billion for General Operating Expenses, of which \$133.2 million is contingent emergency spending, which is \$133.2 million above the Administration's request and \$40.3 million above the FY07 enacted level.

**Information Technology:** Provides \$1.97 billion for Information Technology, of which \$107.2 million is contingent emergency spending, which is \$107.2 million above the Administration's request and \$717.4 million above the FY07 enacted level.

### **Title III – Related Agencies**

**American Battle Monuments Commission:** Provides \$55.6 million for the American Battle Monuments Commission, which is \$2.5 million above the Administration's request and \$13.6 million above the FY07 enacted level.

**U.S. Court of Appeals for Veterans Claims:** Provides \$22.7 million for the U.S. Court of Appeals for Veterans Claims, which is \$1.5 million above the Administration's request and \$2.5 million above the FY07 enacted level.

**Armed Forces Retirement Home:** Provides \$56.5 million for the Armed Forces Retirement Home, which is \$8.1 million below the Administration's request and \$703,000 below the FY07 enacted level.

## **Division J: Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008**

### **Title I – Department of State and Related Agency**

**Administration of Foreign Affairs:** Provides \$7.56 billion for the Administration of Foreign Affairs, which is \$242.1 million above the Administration's request and \$104.4 million above the FY07 enacted level. Included within this funding is: \$59.6 million for the **Capital Investment Fund**; \$33.7 million for the **Office of the Inspector General**; \$501.3 million for **Educational and Cultural Exchange Programs**; \$8.1 million for **Representation Allowances**; \$22.8 million for **Protection of Foreign Missions and Officials**; \$755.1 million for **Embassy Security, Construction, and Maintenance**; \$8.9 million for **Emergencies in the Diplomatic and Consular Service**; \$16.2 million for **Payment to the American Institute in Taiwan**; and \$158.9 million for **Payment to the Foreign Service Retirement and Disability Fund**.

**International Organizations and Conferences:** Provides \$3.03 billion for International Organizations and Conferences, which is \$572.5 million above the Administration's request and \$414.4 million above the FY07 enacted level. Included within this funding is \$1.22 billion for **International Peacekeeping Activities**.

**International Commissions:** Provides \$155.1 million for International Commissions, which is \$21.5 million above the Administration's request and \$88.5 million above the FY07 enacted level.

**Payment to the Asia Foundation:** Provides \$15.4 million for Payment to the Asia Foundation, which is \$5.4 million above the Administration's request and \$1.6 million above the FY07 enacted level.

**International Center for Middle Eastern-Western Dialogue:** Provides \$868,000 for the International Center for Middle Eastern-Western Dialogue, which is \$7,000 below the Administration's request and \$118,000 above the FY07 enacted level.

**East-West Center:** Provides \$19.3 million for the East-West Center, which is \$9.3 million above the Administration's request and \$348,000 above the FY07 enacted level.

**National Endowment for Democracy (NED):** Does not provide funds for administrative expenses of the NED, which is \$80.0 million below the Administration's request and \$74.0 million below the FY07 enacted level.

**Broadcasting Board of Governors:** Provides \$682.0 million for the Broadcasting Board of Governors, which is \$13.8 million above the Administration's request and \$25.3 million above the FY07 enacted level. Included within this funding is \$671.3 million for **International Broadcasting Operations**. There is no funding for **Broadcasting to Cuba**.

**United States Institute of Peace (USIP):** Provides \$24.8 million for USIP, which is \$5.2 million below the Administration's request, but \$2.7 million above the FY07 enacted level.

## **Title II – Export and Investment Assistance**

**Export-Import Bank of the United States:** Provides a net of \$992,000 for the Export-Import Bank of the United States, which is \$8,000 below the Administration's request, but \$53.8 million below the FY07 enacted level. Included in this amount is -\$146.0 million from offsetting collections.

**Overseas Private Investment Corporation:** Provides a net of -\$166.6 million for the Overseas Private Investment Corporation, which is \$6.0 million below the Administration's request, but \$29.5 million below the FY07 enacted level. Included in this amount is -\$237.0 million from insurance fees and other offsetting collections.

**Trade and Development Agency:** Provides \$50.0 million for the Trade and Development Agency, which is \$408,000 below the Administration's request and \$399,000 below the FY07 enacted level.

### **Title III – Bilateral Economic Assistance**

**Global Health Programs:** Provides \$6.49 billion for Global Health Programs, which supports health programs and activities abroad, including those combating HIV/AIDS. The Committee consolidates all funding contained in the Administration's request for global health programs, development assistance, and other USAID expenses.

- **Child Survival and Maternal Health:** Provides \$450.2 million for child survival and maternal health activities, which is \$78.1 million above the Administration's request.
- **Family Planning/Reproductive Health:** Provides \$395.0 million for family planning and reproductive health programs, which is \$70.2 million above the Administration's request.
- **HIV/AIDS:** Provides \$5.05 billion for programs and activities to combat HIV/AIDS, which is \$550.0 million above the Administration request.
- **Other Infectious Diseases:** Provides \$633.0 million for infectious diseases other than HIV/AIDS, which is \$49.6 million above the Administration's request. Included in this amount is \$350.0 million for programs to combat malaria.
- **Vulnerable Children:** Provides \$15.0 million for vulnerable children, which is \$11.0 million above the Administration's request.

**United States Agency for International Development (USAID) Development Assistance:** Provides \$1.62 billion for Development Assistance, which is \$582.4 million above the Administration's request and \$114.9 million above the FY07 enacted level.

**United States Agency for International Development (USAID) International Disaster Assistance:** Provides \$429.7 million for disaster assistance, which is \$132.4 million above the Administration's request, but \$96.6 million below the FY07 enacted level.

**Transition Initiatives:** Provides \$44.6 million for Transition Initiatives, which is \$7.4 million above the Administration's request and \$5.0 million above the FY07 enacted level.

**Payment to the Foreign Service Retirement and Disability Fund:** Does not provide funds for the Payment to the Foreign Service Retirement Disability Fund, which is \$36.4 million below the Administration's request and \$38.7 million below the FY07 enacted level.

**Economic Support Fund:** Provides \$2.97 billion for the Economic Support Fund, which is \$344.6 million below the Administration's request and \$2.10 billion below the FY07 enacted level.

Included in this appropriation are funds for the following countries: **West Bank/Gaza** (\$218.5 million, which is \$155.0 million above the Administration's request); **Egypt** (\$415.0 million, which is equal to the Administration's request); and **Jordan** (\$363.5 million, which is \$100.0 million above the Administration's request).

Of note, \$53.0 million is provided for energy-related assistance for North Korea in support of the Six-Party Talks. This amount will cover the remainder of the U.S. commitment to provide 25 percent of the 1 million tons of Heavy Fuel Oil that the North Korea's counter-parties have pledged to deliver.

**Assistance for Eastern Europe and the Baltic States:** Provides \$293.5 million for Assistance for Eastern Europe and the Baltic States, which is \$4.2 million above the Administration's request and \$19.7 million above the FY07 enacted level.

Included in this funding are earmarks for the following countries: **Albania** (\$18.0 million); **Bosnia and Herzegovina** (\$28.0 million); **Kosovo** (\$148.0 million); **Macedonia** (\$22.0 million); **Serbia** (\$54.0 million); **Montenegro** (\$8.0 million); and \$18.0 million for **Regional Assistance**.

**Assistance for the Independent States of the Former Soviet Union:** Provides \$396.5 million for Assistance for the Independent States of the Former Soviet Union, which is \$44.9 million above the Administration's request, but \$55.5 million below the FY07 enacted level.

Included in this appropriation are funds for the following countries: **Armenia** (\$58.5 million); **Azerbaijan** (\$19.0 million); **Belarus** (\$10.3 million); **Georgia** (\$50.5 million); **Kazakhstan** (\$15.0 million); **Kyrgyz Republic** (\$25.3 million); **Moldova** (\$14.3 million); **Russia** (\$72.2 million); **Tajikistan** (\$26.0 million); **Turkmenistan** (\$5.5 million); **Ukraine** (\$73.0 million); and **Uzbekistan** (\$8.5 million).

**Inter-American Foundation:** Provides \$20.8 million for the Inter-American Foundation, which is \$1.8 million above the Administration's request and \$1.5 million above the FY07 enacted level.

**African Development Foundation:** Provides \$29.8 million for the African Development Foundation, which is \$243,000 below the Administration's request, but \$7.0 million above the FY07 enacted level.

**Peace Corps:** Provides \$330.8 million for the Peace Corps, which is \$2.7 million below the Administration's request, but \$11.2 million above the FY07 enacted level.

**Millennium Challenge Corporation (MCC):** Provides \$1.54 billion for the MCC, which is \$1.46 billion below the Administration's request and \$207.9 million below the FY07 enacted level.

**Democracy Fund:** Provides \$162.7 million for the Democracy Fund, which is \$162.7 million above the Administration's request and \$68.6 million above the FY07 enacted level.

**International Narcotics Control and Law Enforcement:** Provides \$553.9 million for International Narcotics Control and Law Enforcement, which is \$80.7 million below the Administration's request, but \$81.3 million above the FY07 enacted level.

**Andean Counterdrug Initiative:** Provides \$324.8 million for the Andean Counterdrug Initiative, which is \$118.0 million below the Administration's request and \$396.7 million below the FY07 enacted level.

**Migration and Refugee Assistance:** Provides \$823.2 million for Migration and Refugee Assistance, which is \$49.7 million above the Administration's request and \$9.9 million above the FY07 enacted level.

**United States Emergency Refugee and Migration Assistance Fund:** Provides \$44.6 million for the United States Emergency Refugee and Migration Assistance Fund, which is \$10.4 million below the Administration's request and \$10.4 million below the FY07 enacted level.

**Nonproliferation, Anti-Terrorism, Demining and Related Programs:** Provides \$483.1 million for Nonproliferation, Anti-Terrorism, Demining and Related Programs, which is \$19.1 million above the Administration's request and \$77.1 million below the FY07 enacted level.

**Debt Restructuring (Department of the Treasury):** Provide \$30.1 million for debt restructuring, which is \$177.2 million below the Administration's request and \$34.3 million above the FY07 enacted level.

## **Title IV – Military Assistance**

**International Military Education and Training:** Provides \$85.2 million for International Military Education and Training, which is \$4.3 million below the Administration's request and \$696,000 below the FY07 enacted level.

**Foreign Military Financing:** Provides \$4.55 billion for Foreign Military Financing, which is \$16.0 million above the Administration's request, but \$263.8 million below the FY07 enacted level. **Included in this amount is funding for the following allies in the Global War on Terror: Israel (\$2.38 billion) and Egypt (\$1.29 billion).**

**Peacekeeping Operations:** Provides \$226.4 million for peacekeeping operations, which is \$40.2 million above the Administration's request and \$191.2 million below the FY07 enacted level.

## **Title V – Multilateral Economic Assistance**

**International Financial Institutions:** Provides \$1.28 billion for International Financial Institutions, which is \$221.7 million below the Administration's request, but \$4.1 million above the FY07 enacted level. Among the recipients of these funds are the following: the International Development Association, the Global Environment Facility, the Inter-American Development



Bank's Multilateral Investment Fund, the Asian Development Fund, the African Development Bank and Fund, the European Bank for Reconstruction and Development, and the International Fund for Agriculture Development.

**International Organizations and Programs:** Provides \$316.9 million for International Organizations and Programs, which is \$27.5 million above the Administration's request, but \$9.3 million below the FY08 enacted level.

## **Title VI – General Provisions**

Title VI contains a number of specific policy issues. Some of the highlights include:

### ***Prohibitions***

- Section 602 prohibits the use of funds if the UN implements or imposes any taxation on any U.S. person.
- Section 606(a) prohibits the use of funds to assist a foreign country unless that country exempts United States assistance from taxation.
- Section 607 prohibits the use of funds to finance directly any assistance or reparations to **Cuba, North Korea, Iran, or Syria**. Libya, which was previously on this list, has been removed.
- Section 608 prohibits the use of funds for any government of a country whose duly-elected head of government is deposed by decree or **military coup**.
- Section 616 removes **Libya** from the list of prohibited recipients of foreign assistance.
- Section 617(e) sets restrictions on 60 percent of the funds for the Government of the Russian Federation unless the President provides proper certification. The certification must state that the Government of the Russian Federation has terminated implementation of arrangements to Iran and Burma with information related to the development of nuclear reactors or nuclear research programs.
- Section 618 prohibits funding for abortions or involuntary sterilization.
- Section 626 prohibits any funds being made available to any country that the President determines grants sanctuary from prosecution to any individual or group that has committed an act of international terrorism, or otherwise supports international **terrorism**.
- Section 632 prohibits any funds from being used to provide a financial incentive to a U.S. business should the number of **employees in the U.S.** be reduced because production is being moved outside the U.S.
- Section 642 prohibits assistance to foreign governments that export lethal military equipment to countries supporting international **terrorism**.

- Section 680 prohibits any funds from being used for **permanent bases in Iraq**.
- Section 685 conditions assistance to **Uzbekistan** on democratic reform and an investigation into the Andijan massacre of May 2005.
- Section 690 sets conditions on aid to **Egypt** of significant economic and democratic reforms beyond those taken last year.
- Section 697 sets conditions assistance to **Saudi Arabia** on its fighting terrorism.
- Section 699F conditions aid to **Pakistan** on efforts against Al Qaeda and restoration of constitutional government, civil liberties, or independent judiciary, etc.

### ***General***

- Section 610 provides that if the President determines it is in the national interest, **Israel**, **Egypt**, **NATO**, and **major non-NATO allies** may finance the lease of defense articles from U.S. commercial suppliers (not including Major Defense Equipment).
- Section 623 provides that not less than \$1.06 billion be made available for humanitarian and reconstruction assistance for **Afghanistan**.
- Section 635 states the sense of Congress that the **Arab League boycott of Israel** and the secondary boycott of American firms that have commercial ties with Israel are impediments to peace in the region and to U.S. investment and trade in the Middle East and North Africa.
- Section 638 provides that not less than \$11.0 million be available to support democracy activities in **Burma**.
- Section 643 deducts from foreign assistance the unpaid parking tickets and real property taxes owed in Washington and New York City by governments in question.
- Section 668 withholds 20 percent of the funds to the United Nations Development Program (UNDP) until the UNDP provides greater transparency and oversight, including activities in North Korea and Burma. This section also withholds 10 percent of contributions to the World Bank until the Bank makes public the financial disclosures of senior personnel and implements various reforms.
- Section 699 permits funds to be available to **Serbia** if the President certifies that Serbia and Montenegro are cooperating with the International Criminal Tribunal for the former Yugoslavia.
- Section 662 allows the President to forgive **foreign debt** owed to the United States, provided certain conditions are met.

### *Notification*

- Section 620 prohibits funds being obligated to **Liberia, Serbia, Sudan, Zimbabwe, Pakistan, or Cambodia** except as provided through regular notification procedures of the Appropriations Committee.

## **Division K: Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008**

### **Title I – Department of Transportation**

**Office of the Secretary:** Provides \$156.7 million for the Office of the Secretary, which is \$60.4 million above the Administration's request, but \$14.1 million below the FY07 enacted level.

- **Transportation Planning, Research, and Development:** Provides \$13.9 million for Transportation Planning, Research, and Development, which is \$4.8 million above the Administration's request, but \$1.0 million below the FY07 enacted level.
- **Working Capital Fund:** Provides \$128.1 million for the Working Capital Fund, which is \$10.1 million above the FY07 enacted level. The Administration did not request such funding. The Fund provides common administrative services to the Department's operating administrations and other Federal entities.
- **Payments to Air Carriers (Airport and Airway Trust Fund):** Provides \$60.0 million for Payments to Air Carriers, which is \$600,000 above the FY07 enacted level. The Administration did not request funding for Payments to Air Carriers. The **Essential Air Service and Rural Airport Improvement Program** provides funds directly to commuter/regional airlines to provide air service to small communities that otherwise would not receive air service.

**Federal Aviation Administration (FAA):**<sup>5</sup> Provides \$14.60 billion for the FAA, which is \$527.1 million above the Administration's request and \$122.6 million above the FY07 enacted level.

- **Operations:** Provides \$8.74 billion for FAA Operations, which is \$365.8 million above the FY07 enacted level.
- **Facilities and Equipment:** Provides \$2.51 billion for Facilities and Equipment, which is \$3.3 million below the FY07 enacted level.

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<sup>5</sup> The Administration proposes to restructure FAA accounts along the lines of business of the agency. One account would pay for the Air Traffic Organization, including both the operating and capital expenses of the organization. Another account, Safety and Operations, would pay for operating and capital expenses of the Aviation Safety office and other offices within FAA. The Commerce Committee has reported legislation that would authorize FAA programs through FY11 and the Commerce Committee followed the current account structure.

- **Research, Engineering, and Development:** Provides \$146.8 million for Research, Engineering, and Development, which is \$6.8 million above the Administration's request and \$16.6 million above the FY07 enacted level.
- **Grants-in-Aid for Airports:** Provides \$4.40 billion for Grants-in-Aid for Airports, which is \$99.0 million above the Administration's request and equal to the FY07 enacted level.
- **FAA General Provisions:**
  - Section 114 extends the terms and conditions of the aviation insurance program, commonly known as "war risk insurance," and the limitation on air carrier liability for third-party claims arising out of acts of terrorism to August 31, 2008 and includes an option for the Secretary to further extend the program until December 31, 2008.
  - Section 116 extends taxes and expenditure authority relating to airport and airway trust fund fuel taxes through February 29, 2008.
  - Section 117 is related to labor integration of airline mergers.

**Federal Highway Administration (FHWA):** Provides \$38.07 billion for the FHWA, which is \$153.3 million above the Administration's request and \$1.81 billion above the FY07 enacted level. The Committee expressed concerns that the current balances and projected receipts to the Highway Trust Fund are not sufficient to continue funding the levels authorized for the Federal-aid Highway program or the highway and motor carrier safety programs through FY09.

- **MN I-35W Bridge:** Provides \$195.0 million for bridge repair and reconstruction of the Interstate 35W bridge located in Minneapolis, Minnesota.
- Section 129 requires the Secretary of Transportation to set aside from revenue-aligned budget authority funds at the level of 98 percent of the corresponding report.
- Section 130 provides conditions for any waiver of Buy American requirements.

**Federal Motor Carrier Safety Administration (FMCSA):** Provides \$529.7 million for the FMCSA, which \$1.65 million above the Administration's request and \$12.7 million above the FY07 enacted level.<sup>6</sup> All of this funding is contract authority, which is capped by the obligation level of \$529.6 million.

- Section 136 subjects the funds in this act to section 350 of P.L. 107-87 in order to ensure the safety of all cross-border long haul operations conducted by Mexican-domiciled commercial carriers. Section 350 of P.L. 107-87 sets a series of

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<sup>6</sup> The Federal Motor Carrier Safety Administration was established within the Department through Congress' enactment of the Motor Carrier Safety Improvement Act (P.L. 106-159) in December 1999. Prior to this legislation, motor carrier safety responsibilities were under the jurisdiction of the FHWA.

conditions regarding the safety of cross-border trucking between the United States and Mexico.

**National Highway Traffic Safety Administration (NHTSA):** Provides \$814.7 million for the NHTSA, which is \$18.3 million below the Administration's request and \$6.0 million below the FY07 enacted level. All of this funding is contract authority, which is capped by the obligation level at \$711.0 million.

**Federal Railroad Administration (FRA):** Provides \$1.56 billion for the FRA, which is \$489.6 million above the Administration's request and \$83.0 million above the FY07 enacted level.

- **National Railroad Passenger Corporation (AMTRAK):** Provides \$1.33 billion for Amtrak, which is \$425.0 million above the Administration's request and \$31.5 million above the FY07 enacted level.
- Of note, the bill does not include language which would have required that any lease or contract between Amtrak and any other governmental entity to be governed by the laws of the District of Columbia.

**Federal Transit Administration (FTA):** Provides \$9.36 billion for the FTA, which is \$64.0 million below the Administration's request and \$348.2 million above the FY07 enacted level. The majority of this funding is contract authority, which is capped by the obligation level at \$7.77 billion. Included in this funding is \$7.77 billion for **Formula Grants** and \$1.57 billion for **Capital Investment Grants**.

**Saint Lawrence Seaway Development Corporation (SLSDC):** Provides \$17.4 million for the SLSDC, which is equal to the Administration's request and \$1.2 million above the FY07 enacted level.

**Maritime Administration:** Provides \$306.7 million for the Maritime Administration, which is \$11.4 million above the Administration's request and \$92.3 million above the FY07 enacted level.

**Pipeline and Hazardous Materials Safety Administration:** Provides \$154.5 million for the Pipeline and Hazardous Materials Safety Administration, which is \$6.2 million above the Administration's request and \$20.4 million above the FY07 enacted level.

**Office of the Inspector General:** Provides \$66.4 million for the Office of the Inspector General, which is equal to the Administration's request and \$2.4 million above the FY07 enacted level. The bill maintains language that authorizes the Inspector General to investigate allegations of fraud and unfair practices of competition by air carriers and ticket agents.

**Surface Transportation Board (STB):** Provides a net of \$25.1 million for the STB (\$1.3 million is expected in offsetting collections), which is \$3.2 million above the Administration's request, but \$12,000 above the FY07 enacted level.

## **Title II – Department of Housing and Urban Development**

**Tenant-based Rental Assistance:** Provides \$16.39 billion for Tenant-based Rental Assistance, which is \$391.0 million above the Administration's request and \$471.0 million above the FY07 enacted level. This account provides funding for the Section 8 tenant-based (voucher) program, which is one of the principal appropriations for Federal housing assistance and provides rental housing assistance to over 2 million families.

**Project-based Rental Assistance:** Provides \$6.38 billion for Project-based Rental Assistance, which is \$568.8 million above the Administration's request and \$405.4 million above the FY07 enacted level. Section 8 project-based rental assistance provides a rental subsidy to a private landlord that is tied to a specific housing unit as opposed to a voucher, which allows a recipient to seek a unit, subject primarily to certain rent caps.

**Public Housing Capital Fund:** Provides \$2.43 billion for the Public Housing Capital Fund, which is \$415.0 million above the Administration's request and equal to the FY07 enacted level.

**Public Housing Operating Fund:** Provides \$4.20 billion for the Public Housing Operating Fund, which is \$200.0 million above the Administration's request and \$336.0 million above the FY07 enacted level.

**Revitalization of Severely Distressed Public Housing:** Provides \$100.0 million for Revitalization of Severely Distressed Public Housing, which is \$1.0 million above the FY07 enacted level. The Administration did not request such funding.

**Native American Housing Block Grants:** Provides \$630.0 million for Native American Housing Block Grants, which is \$3.0 million above the Administration's request and \$6.3 million above the FY07 enacted level.

**Community Planning and Development:** Provides \$7.55 billion for Community Planning and Development, which is \$588.4 million above the Administration's request and \$210.7 million above the FY07 enacted level. The disparity between the Administration's request and the bill stems from the Administration's proposal to reform and dramatically reduce funding for the Community Development Block Grant (CDBG) program. The Committee has rejected the Administration's proposal.

- **Housing Opportunities for Persons With AIDS (HOPWA):** Provides \$300.1 million for HOPWA, which is equal to the Administration's request and \$14.0 million above the FY07 enacted level.
- **Rural Housing and Economic Development:** Provides \$17.0 million for Rural Housing and Economic Development, which is \$170,000 above the FY07 enacted level. The Administration did not request such funding.

- **Community Development Fund:** Provides \$3.87 billion for the Community Development Fund, which is \$829.2 million above the Administration's request and \$93.9 million above the FY07 enacted level.
- **HOME Investment Partnerships Program:** Provides \$1.70 billion for the HOME Investment Partnerships Program, which is \$262.6 million below the Administration's request and \$53.3 million below the FY07 enacted level.
- **Homeless Assistance Grants:** Provides \$1.59 billion for Homeless Assistance Grants, which is equal to the Administration's request, but \$144.4 million above the FY07 enacted level.

**Housing Programs:** Provides \$962.0 million for Housing Programs, which is \$212.0 million above the Administration's request, but \$35.3 million below the FY07 enacted level.

- **Housing for the Elderly:** Provides \$735.0 million for Housing for the Elderly, which is \$160.0 million above the Administration's request and \$420,000 above the FY07 enacted level.
- **Housing for Persons with Disabilities:** Provides \$237.0 million for Housing for Persons with Disabilities, which is \$125.0 million above the Administration's request and \$390,000 above the FY07 enacted level.

**Federal Housing Administration (FHA) Mutual Mortgage Insurance Program Account:** Provides a limitation on guaranteed loans of \$185.00 billion, which is equal to the Administration's request and the FY07 enacted level.

**FHA General and Special Risk Program Account:** Provides a limitation on guaranteed loans of \$45.00 billion, which is \$10.00 billion above the Administration's request, but equal to the FY07 enacted level.

**Government National Mortgage Association (GNMA):** Provides a limitation on guaranteed loans of \$200.0 billion, which is \$100.0 billion above the Administration's request and equal to the FY07 enacted level.

**Research and Technology:** Provides \$51.4 million for Research and Technology, which is \$13.6 million below the Administration's request, but \$1.4 million above the FY07 enacted level.

**Fair Housing Activities:** Provides \$50.0 million for Fair Housing Activities, which is \$10.0 million above the Administration's request and \$4.5 million above the FY07 enacted level.

**Lead Hazard Reduction:** Provides \$145.0 million for Lead Hazard Reduction, which is \$29.0 million above the Administration's request and \$5.5 million above the FY07 enacted level.

**General Provisions:** Notable general provisions included the following:

- Section 205 allows HUD to use funds for services or facilities to reimburse the Government-Sponsored Enterprises and other Federal entities for various administrative expenses.
- Section 213 requires vouchers for non-elderly disabled families to be renewed, to the extent practicable, to non-elderly disabled families.
- Section 218 requires HUD to maintain Section 8 assistance on HUD-held or owned multifamily housing that is occupied primarily by the elderly or disabled.

### **Title III – Independent Agencies**

**Architectural and Transportation Barriers Compliance Board:** Provides \$6.2 million for the Architectural and Transportation Barriers Compliance Board, which is equal to the Administration's request and \$235,000 above the FY07 enacted level.

**Federal Maritime Commission:** Provides \$22.1 million for the Federal Maritime Commission, which is \$250,000 below the Administration's request, but \$1.6 million above the FY07 enacted level.

**National Transportation Safety Board (NTSB):** Provides \$84.5 million for NTSB, which is \$1.5 million above the Administration's request and \$5.2 million above the FY07 enacted level.

**Neighborhood Reinvestment Corporation:** Provides \$229.8 million for the Neighborhood Reinvestment Corporation, which is \$180.0 million above the Administration's request and \$183.0 million above the FY07 enacted level.

### **Division L: Emergency Supplemental Appropriations for Operation Enduring Freedom and for Other Purposes**

**Department of Defense:** Provides \$31.0 billion for ongoing military operations in Afghanistan. The Administration requested \$180 billion for ongoing military operations in Afghanistan and Iraq.

**General Provisions:** Division L also includes the following notable provisions:

- Section 101 expresses the sense of Congress that the performance of U.S. military personnel should be commended.
- Section 102 prohibits funds from being used in contravention of certain laws and regulations meant to implement the U.N. convention on torture.



- Section 103 requires the President to deliver a comprehensive military, diplomatic, political, and economic regional stability plan for the Middle East, including five-year projections for U.S. force presence in and around the Middle East.
- Section 104 prohibits funds to be used for Operation Iraqi Freedom.
- Section 205 provides that up to \$500 million may be used to fund the Commander's Emergency Response Program in Afghanistan.
- Section 207 provides that not less than \$7.4 billion of the funds in the Defense Appropriations Act be used for child care, family/youth activities, custodial services, training range operations, the family advocacy program, base for protection activities and military recruiting programs, to include pay for civilian employees of the Department.

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## **Administration Position**

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The White House Statement of Administration Policy (SAP) called for the timely completion of the FY08 appropriations bills in a fiscally responsible manner but also included a veto threat. The bill provides only \$33.4 billion of funding for the Global War on Terror, with an explicit prohibition against using the money for Iraq. The SAP indicated that if the President were presented with H.R. 2764 in its current form, he would veto the bill.

The SAP supported “the reasonable and responsible level \$933 billion” for FY08 appropriations. The SAP also expressed concerns about the “billions of dollars in Congressional earmarks from higher domestic priorities.” Finally, while the Administration remains concerned by several provisions in the bill, the SAP stated that, “Congress appears to have removed the most egregious policy riders from the bill.”

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## **Possible Amendments**

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Amendments are expected to be offered on the Senate floor. Of note, it is expected that an amendment to strike Division L of the bill and replace it with additional funding for ongoing military operations in Iraq and Afghanistan.